



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 10734WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/050085	International filing date (day/month/year) 26.02.2004	Priority date (day/month/year) 22.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant SAGEM SA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of 6 sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising:	
a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:	
<input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	
<input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-11 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-10 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-10</u>	YES
	Claims	<u></u>	NO
Inventive step (IS)	Claims	<u>1-10</u>	YES
	Claims	<u></u>	NO
Industrial applicability (IA)	Claims	<u>1-10</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations (Rule 70.7)	
Reference is made to the following documents:	
D1: US-B1-6 169 896 (SANT DEEPAK ET AL) 2 January 2001;	
D2: US-A-5 471 649 (PICKERSGILL PHILLIP ET AL) 28 November 1995.	
1.1	<p>Independent claim 1 relates to a system for testing a mobile telephone network.</p> <p>In accordance with the available prior art, a mobile telephone operator has to carry out a series of tests using a test mobile station in order to optimise the dimensioning of the cells covering a territory. For each cell in the territory and each selection or reselection parameter to be tested or each set of such parameters, the operator has to telephone the network control centre (OMC: Operation and Maintenance Center) and request that said centre modify said parameters.</p>

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

This technique is one of trial and error and requires restrictive coordination between the operator and the network control centre. Indeed, the operator has to transmit the list of the parameters to be configured for the various cells to be verified. This operation is time-consuming and, in addition, causes disturbance to the entire network.

As a result, the invention proposes a self-contained test system for a mobile telephone network, whereby the network cell selection and reselection parameters can be overridden using a computer connected to the test mobile telephone.

Document D1 (US B 6 169 896), which is considered to be the closest document, discloses a test system comprising a plurality of test mobile stations and a computer onboard a mobile unit. According to D1, the computer initiates and receives the calls and evaluates the quality of the data transmitted during said calls.

However, D1 does not disclose a computer that has predetermined values for the selection and reselection parameters, nor does it teach the use of a test mobile station that comprises an override function in order to receive predetermined values for said selection parameters.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>It follows that, by virtue of the invention, it is possible to simulate, in the test mobile station only, a modification to the network selection and reselection parameters and to measure the effects of such a modification without any need for control centre intervention and without causing any network disturbance.</p> <p>This solution is not known and cannot be derived from document D1.</p> <p>1.2 What is more, if a person skilled in the art wished to take along the test system described in document D2 as an onboard system, he/she would have to take along, in addition to said test mobile station in D2, the base controller, which is, in turn, connected to the base station transmitter, in other words, he/she would have to take along the entire base station and this is completely impossible.</p> <p>It follows that it is not possible to arrive at the test system as per claim 1 by combining the test system in D2 with the test system in D1.</p> <p>1.3 The solution proposed in claim 1 of the present application is, therefore, considered to be novel (PCT Article 33(2)) and to involve an inventive step (PCT Article 33(3)).</p> <p>2. Claims 2-4 are dependent on claim 1 and, as such, therefore also fulfil the PCT requirements of</p>

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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novelty and inventive step.

3. Even though independent claim 5 has been drafted as a method claim, it is merely a repetition of the subject matter of apparatus claim 1 and, as a result, fulfils the requirements of the PCT for the same reason.
4. Claims 6-10 are dependent on claim 5 and, as such, therefore also fulfil the PCT requirements of novelty and inventive step.